

BOARD OF HEALTH
Bangs Community Center: Room 101
Minutes

October 27, 2011

BOH Members: David Ahlfeld, Jennifer Brown, Maria Bulzacchelli, Nancy Gilbert

BOH Member Excused: David Kaufman

Staff: Julie Federman, Pamela Field-Sadler

Other: Alexandra Martines – UMASS student

Amy O'Regan – UMASS student

Meeting opened at 7:06 p.m.

I. Review & Receive

A. Meeting Minutes

1. Meeting Minutes from July 28, 2011 – **Approved**
2. Meeting Minutes from September 22, 2011 – **Approved as amended**

II. New Business

A. Variance Request: 70 North Whitney St., Apt. C

The Board of Health (BOH) reviewed a request for 70 North Whitney St., Apt. C for a variance from the State Sanitary Code: Section 410 CMR 105: Minimum Standards of Human Habitation with regard to the ceiling height which measures 2 inches shorter than the required 84 inches for a habitable space. Ms. Federman informed the BOH that this is a complicated situation and the apartment occupant has brought forth concerns to the Housing Court after the Health Department completed an inspection of the premise. Ms. Federman explained the non-conforming floor-to-ceiling height was discovered during an inspection completed by the State District Health Officer Charles Kaniecki which was performed at the request of the Housing Court. Mr. Kaniecki advised the property owner to seek a variance from the BOH. During the BOH meeting, Ms. Federman conferred with Mr. Kaniecki by telephone to ask why 84 inches is the required floor-to-ceiling height for a habitable space. Ms. Federman shared it is Mr. Kaniecki's belief that the part of the State Code in reference is very old, and the requirement was based upon average height of people at the time and potential hanging light fixtures. Ms. Federman believes, based on observation from outside the multi-apartment residence, that the room in question is the only one which does not meet the ceiling height requirement. At this time, no other tenants have brought complaints to the Health Department. Ms. Federman explained the other items noted in the report from Mr. Kaniecki are being addressed, and if the BOH denied the variance request, the landlord would be notified the space could not be considered habitable. Amherst Sanitarian Javeria Mir submitted correspondence recommending the BOH approve the variance as requested.

Motion: Ms. Gilbert made the motion, seconded by Ms. Brown, to approve the variance request for the property located at 70 North Whitney St., Apt. C as submitted on the recommendation of Amherst Sanitarian Javeria Mir.

Vote: Unanimous

III. Old Business

A. Composting Toilet Follow-up

The Board of Health (BOH) reviewed a report submitted by Ms. Brown regarding composting toilets. Ms. Brown explained her research showed that composting toilets have a variety of broad definitions, and the toilets themselves can vary from simple design to certified, manufactured systems. Ms. Brown pointed out concerns exist regarding composting toilets such as: ensuring proper system design and maintenance; disease vector control; quality prevention of groundwater contamination; solid end product disposal; available hand-washing facilities; the ability of the Health Department to provide inspections and the uncertainty of health hazards relating to excretions of an individual whom has been administered a live vaccine. Ms. Brown recommended the BOH not allow composting toilets in Amherst. The BOH thanked Ms. Brown for her work and report. The BOH agreed that no further action on this item is required at this time.

IV. Director's Report

A. Outdoor Wood Boiler

Ms. Federman reported in the past several weeks she had received two inquiries regarding outdoor wood boilers. A resident, referred to the Health Department by the Building Commissioner, who intends to install an outdoor wood boiler called to seek information regarding Board of Health (BOH) requirements. The second caller, a past BOH member whose neighbor is installing an outdoor wood boiler, shared her concern that the Massachusetts Environmental Protection Agency (MassDEP) regulations are not stringent enough and asked if the BOH wanted to create a local regulation. Chairman Ahlfeld stated that previously the BOH had issued a moratorium on the installation of all outdoor wood boilers; however, the moratorium had been rescinded after the development of the MassDEP regulation 310 CMR 7.26(50) which took effect December 26, 2008. Existing outdoor wood boilers (those in operation before December 26, 2008) can continue to operate, but are subject to certain MassDEP regulation requirements. The BOH recognizes that outdoor wood boilers could become more popular as an alternative and less expensive heat source for residents trying to heat their homes. Chairman Ahlfeld noted he would be interested to see how emission particulate concentrations compare between an outdoor wood boiler and a wood stove. The BOH agreed to continue this discussion at their next meeting; Ms. Federman will work to obtain regulations from other towns for review. Ms. Gilbert stated she would be attending the American Public Health Association conference and will look for available information pertinent to this subject.

B. Hampshire County Emergency Preparedness Coalition

Amherst is a member of the Hampshire County Emergency Preparedness Coalition (HCEPC) which is funded by Homeland Security money. Easthampton serves as the host community and is responsible to disperse funds to member communities; Amherst receives about \$2000 per year. Ms. Federman explained emergency preparedness needs for larger communities are different from the needs of the smaller communities. The smaller communities need more coalition support because they do not have the staff resources that the larger communities have. The HCEPC activities and expenditures are overseen by an Executive Committee which historically has been made up of the larger community representatives, including Ms. Federman; however, in September all the larger community representatives came off the Executive Committee. Ms. Federman reported that she and the Northampton and Quabbin Health District representatives will begin to explore the creation of forming a second Hampshire County coalition with the intention of focusing on the emergency preparedness needs of the larger communities. When asked if the smaller communities were in favor of this idea, Ms. Federman responded that she does not know, but she suspects they will not be. Ms. Federman pointed out state plans exist for Hampshire County which includes Fire and Police, but not Public Health. Each Hampshire County town has a local plan; Amherst Fire, Police and Health Departments work together on the emergency management plan for the town.

C. Staffing Update

Sanitarian Javeria Mir will work from home next week and then officially begin her maternity leave the following week leaving the Health Department without 1 full-time inspector. Ms. Federman stated Northampton has offered support during Ms. Mir's absence. Ms. Federman also reported 6 applications were received for the Code Enforcement Officer position, and the Building Commissioner will be leaving her position at the end of December.

D. Board of Health Member Recruitment

The Board of Health (BOH) suggested several names of local physicians who could be contacted to inquire of their interest in serving on the BOH. Ms. Federman will contact these individuals. Ms. Brown stated she also has spoken to people regarding the anticipated vacant position.

At the conclusion to the Director's Report, the following additional items were raised:

1. A Board of Health member inquired about the local sheep which tested positive for rabies. Ms. Federman explained that the state lab report did indicate a positive result for the sheep. Ms. Federman and Animal Wellness Officer Carol Hepburn worked together to ascertain the other sheep were quarantined and the pasture was posted. Ms. Federman and Ms. Hepburn also held an informational meeting at the co-housing complex where the sheep had resided. Ms. Federman is aware of 17 people who received the vaccine.

2. A Board of Health member inquired about the supply of flu vaccine. Ms. Federman explained originally it was believed flu vaccine would be limited this year; however, the state has received more money for flu vaccine and there may now be a surplus. Ms. Federman reported there was a low turnout for the Health Department sponsored Flu Clinic.
3. A Board of Health member reported that Boston Public Housing is going smoke-free.
4. A Board of Health member shared a concern regarding the new paving on a portion of South East Street. The paving is significantly raised causing pedestrians to walk in the road. Ms. Federman explained the town is exploring the “complete street” concept, and she will bring this concern to the attention of the Public Works Director. Ms. Bulzacchelli stated she has literature regarding the built environment and walkability she is willing to share with Ms. Federman.
5. A bear was removed from the downtown area of Amherst recently. The bear may have been attracted to local dumpsters or birdfeeders. Northampton is considering regulation language to help control the intentional and/or unintentional feeding of bears.

V. Schedule Next Board of Health Meeting/Agenda Closing Date

The Board of Health has scheduled the following meetings:

November 17, 2011

December 15, 2011

Pamela Field-Sadler, Management Assistant

APPROVED: 11/17/2011

Board of Health
October 27, 2011
Bangs Community Center: Room 101
Meeting Document List

The following documents were available to the Board of Health during their scheduled meeting.
These documents are available for review at the:

Amherst Health Department, 70 Boltwood Walk, Amherst, MA 01002

- Meeting Agenda
- Meeting Minutes: July 28, 2011 (draft)
September 22, 2011 (draft)
- Variance Request: 70 North Whitney Street, Apt. C
 1. Correspondence from Charles J. Kaniecki, MDPH District Health Officer
 2. Correspondence from Susan Rupp
 3. Correspondence from Javeria Mir, Sanitarian
- Report submitted by Jennifer Brown re: Composting Toilets